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Security Council

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Resolution 1355 (2001)

Adopted by the Security Council at its 4329th meeting, on 15 June 2001

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1265 (1999) of 17 September 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, 1291 (2000) of 24 February 2000, 1296 (2000) of 19 April 2000, 1304 (2000) of 15 June 2000, 1323 (2000) of 13 October 2000, 1332 (2000) of 14 December 2000 and 1341 (2001) of 22 February 2001 and the statements of its President of 13 July 1998 (S/PRST/1998/20), 31 August 1998 (S/PRST/1998/26), 11 December 1998 (S/PRST/1998/36), 24 June 1999 (S/PRST/1999/17), 26 January 2000 (S/PRST/2000/2), 5 May 2000 (S/PRST/2000/15), 2 June 2000 (S/PRST/2000/20), 7 September 2000 (S/PRST/2000/28) and 3 May 2001 (S/PRST/2001/13),

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States in the region,

Reaffirming further the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming also the sovereignty of the Democratic Republic of the Congo over its natural resources,

Expressing its alarm at the dire consequences of the prolonged conflict for the civilian population throughout the territory of the Democratic Republic of the Congo, in particular the increase in the number of refugees and displaced persons, and *stressing* the urgent need for substantial humanitarian assistance to the Congolese population,

Expressing its deep concern at all violations of human rights and international humanitarian law, including atrocities against civilian populations, especially in the eastern provinces,

Deeply concerned at the increased rate of HIV/AIDS infection, in particular amongst women and girls in the Democratic Republic of the Congo,

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Gravely concerned by the continued recruitment and use of child soldiers by armed forces and groups, including cross-border recruitment and abduction of children,

Reaffirming its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Reaffirming its support for the Lusaka Ceasefire Agreement (S/1999/815), as well as the Kampala plan and the Harare sub-plans for disengagement and redeployment,

Reaffirming that the primary responsibility for implementing the Lusaka Ceasefire Agreement lies with the parties,

Reiterating its support for the Inter-Congolese Dialogue and the Facilitator, and *stressing* the need for the parties to resolve outstanding substantive and procedural issues,

Recalling the responsibilities of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC),

Endorsing the report of the Security Council mission to the Great Lakes region (S/2001/521), and *recalling* the communique of the joint meeting of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement in the Democratic Republic of the Congo and the United Nations Security Council mission to the Great Lakes region (S/2001/525),

Taking note of the Secretary-General's report of 8 June 2001 (S/2001/572) and its recommendations,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

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Acting under Chapter VII of the Charter of the United Nations,

1. *Notes with satisfaction* that the ceasefire among the parties to the Lusaka Ceasefire Agreement has been respected, *welcomes* the progress on disengagement and redeployment noted in the Secretary-General's report of 8 June 2001, and *reiterates* its urgent call on all parties to the Lusaka Ceasefire Agreement to implement this agreement, as well as the agreements reached in Kampala and Harare and all relevant Security Council resolutions;

2. *Demands* that the Front de Libération du Congo disengage and redeploy its forces in accordance with the Harare sub-plans and the commitment it made to the Security Council mission to the Great Lakes region, in their meeting of 25 May 2001, and *expresses its intention* to monitor this process;

3. *Demands once again* that Ugandan and Rwandan forces and all other foreign forces withdraw from the territory of the Democratic Republic of the Congo in compliance with paragraph 4 of its resolution 1304 (2000) and the Lusaka Ceasefire Agreement, *urges* those forces to take the necessary steps to accelerate this withdrawal, and *welcomes* in this regard the decision by Ugandan authorities to start withdrawing their troops from the territory of the Democratic Republic of the Congo (S/2001/461),

4. *Calls on* all the parties to refrain from any offensive action during the process of disengagement and withdrawal of foreign forces, and *expresses concern* at recent reports of military operations in the Kivus;

5. *Demands* that the Rassemblement Congolais pour la Démocratie demilitarize Kisangani in accordance with resolution 1304 (2000), and that all parties respect the demilitarization of the city and its environs;

6. *Demands* that all parties, including the Government of the Democratic Republic of the Congo, cease immediately all forms of assistance and cooperation with all armed groups referred to in Annex A, Chapter 9.1, of the Lusaka Ceasefire Agreement;

7. *Takes note* of the plans drafted by the Political Committee (S/2001/521/Add.1) for the orderly withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo and for the disarmament, demobilization, repatriation and reintegration (DDRR) of all armed groups in the Democratic Republic of the Congo, and *calls on* the parties to finalize these plans and to implement them as a matter of urgency;

8. With a view to ensuring the finalization of these plans, *requests* all parties that have not already done so to provide the Joint Military Commission, as soon as possible, with all necessary operational information on the withdrawal, including, inter alia, the numbers and locations of the foreign forces, their assembly areas and withdrawal routes and the timetable, and on DDRR, including, inter alia, the numbers, location and armaments of the armed groups, and the proposed sites of their demobilization areas, in order to facilitate United Nations planning to assist the parties in the implementation of these plans;

9. *Encourages* the Presidents and Governments of the Democratic Republic of the Congo and Rwanda to intensify their dialogue with the goal of achieving regional security structures based on common interest and mutual respect for the territorial integrity, national sovereignty and security of both States, and *emphasizes* in this respect that the disarmament and demobilization of, and cessation of any support to, the ex-Forces Armées Rwandaises and Interahamwe forces are essential to the settlement of the conflict in the Democratic Republic of the Congo;

10. *Condemns* the recent incursions by armed groups into Rwanda and Burundi;

11. *Welcomes* the dialogue initiated between the authorities of the Democratic Republic of the Congo and Burundi, *strongly urges* them to continue their efforts, *calls on* all States in the region to bring to bear their influence on Burundian armed groups to encourage them to refrain from violence, to enter negotiations for a political settlement and to join the Arusha peace process, and *demands* that all States in the region cease any military support to such groups;

12. *Stresses* that a durable peace in the Democratic Republic of the Congo should not be achieved at the expense of peace in Burundi, and *requests* the Secretary-General as well as interested Member States to make proposals, on an urgent basis, on how best to address these interrelated crises;

13. *Welcomes* the announcement by the Facilitator of the Inter-Congolese Dialogue of the organization of the Preparatory Meeting of the Inter-Congolese Dialogue on 16 July 2001, *calls on* all Congolese parties to commence that dialogue

as soon as possible, preferably on Congolese soil, and to ensure a successful outcome, and *welcomes* in this regard the initial measures taken by the authorities of the Democratic Republic of the Congo towards the liberalization of political activities;

14. *Calls on* all relevant parties to ensure that urgent child protection concerns, including DDRR of child soldiers, the plight of girls affected by the conflict, the protection and safe return of refugee and internally displaced children, and the registration and reunification of unaccompanied or orphaned children, are addressed in all national, bilateral and regional dialogues, and that solutions are designed in accordance with international best practice;

15. *Condemns* the massacres and atrocities committed in the territory of the Democratic Republic of the Congo, *demands* once again that all the parties to the conflict put an immediate end to violations of human rights and international humanitarian law, and *stresses* that those responsible will be held accountable;

16. *Reminds* all parties of their obligations with respect to the security of civilian populations under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and *stresses* that all forces present on the territory of the Democratic Republic of the Congo are responsible for preventing violations of international humanitarian law in the territory under their control;

17. *Condemns strongly* the attacks against the personnel of humanitarian organizations, and *demands* that the perpetrators be brought to justice;

18. *Condemns* the use of child soldiers, *demands* that all armed forces and groups concerned bring an end to all forms of recruitment, training and use of children in their armed forces, *calls upon* all parties to collaborate with the United Nations, humanitarian organizations and other competent bodies to ensure the expeditious demobilization, rehabilitation and reintegration of children abducted or enrolled in armed forces or groups and to allow their reunification with their families, and *urges* Member States to ensure adequate and sustained resources for long-term reintegration;

19. *Calls on* all parties to ensure, in accordance with relevant international law, the full, safe and unhindered access of relief personnel to all those in need and the delivery of humanitarian assistance, in particular to all children affected by the conflict, and *recalls* that the parties must also provide guarantees for the safety, security and freedom of movement of United Nations and associated humanitarian personnel;

20. *Calls on* the international community to increase its support for humanitarian relief activities within the Democratic Republic of the Congo and in neighbouring countries affected by the conflict in the Democratic Republic of the Congo;

21. *Expresses* its full support for the work of the Expert Panel on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo, and *notes* that the report of the Expert Panel of 12 April 2001 (S/2001/357) contains disturbing information about the illegal exploitation of Congolese resources by individuals, Governments and armed groups involved in the conflict and the link between the exploitation of the natural resources and other

forms of wealth in the Democratic Republic of the Congo and the continuation of the conflict;

22. *Reaffirms* that it attaches the highest importance to the cessation of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, and *reaffirms* that it is ready to consider the necessary actions to put an end to this exploitation;

23. *Awaits* in this respect the publication of the addendum to the report of the Expert Panel which should contain an updated evaluation of the situation, again *urges* all the parties to the conflict in the Democratic Republic of the Congo and the other parties concerned to cooperate fully with the Expert Panel while ensuring necessary security for the experts, and *welcomes* the action taken by Ugandan authorities in setting up a commission of inquiry in this regard;

24. *Stresses* the link between the progress in the peace process and economic recovery of the Democratic Republic of the Congo, *welcomes* initial economic reforms undertaken by the Government of the Democratic Republic of the Congo, and *underlines* the urgent need for international economic assistance;

25. *Stresses* the importance of the restoration of river traffic, *welcomes* the reopening of the Congo and the Oubangui Rivers, *calls urgently* on all parties, and in particular the Rassemblement Congolais pour la Démocratie in light of its recent public comments, to cooperate further in order to permit the re-establishment of economic links between, inter alia, Kinshasa, Mbandaka and Kisangani, and *expresses its support* for the proposed establishment of a Congo River Basin Commission comprising the Congolese parties, United Nations agencies and some neighbouring countries under the chairmanship of MONUC;

26. *Stresses* that durable peace can only be achieved if all the countries of the region are successful in defining amongst themselves the rules by which to promote security and development, and *reaffirms* in this regard that an international conference on peace, security, democracy and development in the region, with participation by all the Governments of the region and all the other parties concerned, should be organized at the appropriate time under the aegis of the United Nations and the Organization of African Unity;

27. *Expresses* its intention to monitor closely progress by the parties in implementing the requirements and demands of this resolution;

28. *Expresses again* its readiness to consider possible measures which could be imposed, in accordance with its responsibilities and obligations under the Charter of the United Nations, in case of failure by parties to comply fully with this resolution and other relevant resolutions;

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29. *Decides* to extend the mandate of MONUC until 15 June 2002, and also decides to review progress at least every four months based on reporting by the Secretary-General;

30. *Requests* the Secretary-General to submit to the Council, once all necessary information has been provided by the parties to the Lusaka Ceasefire Agreement, and subject to the continuing cooperation of the parties, proposals

concerning the way MONUC could assist in, monitor and verify the implementation by the parties of the plans referred to in paragraphs 7 and 8 above;

31. *Approves* the updated concept of operations put forward by the Secretary-General in paragraphs 84 to 104 of his report of 8 June 2001, including, for further planning purpose, the creation of a civilian police component and of an integrated civilian/military section to coordinate DDRR operations, the strengthening of the MONUC presence in Kisangani, and the strengthening of the MONUC logistic support capability to support current and foreseen future deployment, with a view to preparing the transition towards the third phase of the deployment of MONUC after the necessary information has been provided by the parties;

32. *Authorizes* in this regard MONUC, consistent with the Secretary-General's report, to assist, upon request, and within its capabilities, in the early implementation, on a voluntary basis, of the DDRR of armed groups, and *requests* the Secretary-General to deploy military observers in locations where early withdrawal is implemented, with a view to monitoring the process;

33. *Reiterates* the authorization contained in resolution 1291 (2000) for up to 5,537 MONUC military personnel, including observers as deemed necessary by the Secretary-General;

34. *Requests* the Secretary-General to expand the civilian component of MONUC, in accordance with the recommendations in his report, in order to assign to areas in which MONUC is deployed human rights personnel, so as to establish a human rights monitoring capacity, as well as civilian political affairs and humanitarian affairs personnel;

35. *Calls on* the Secretary-General to ensure sufficient deployment of child protection advisers to ensure consistent and systematic monitoring and reporting on the conduct of the parties to the conflict as concerns their child protection obligations under humanitarian and human rights law and the commitments they have made to the Special Representative of the Secretary-General for Children and Armed Conflict;

36. *Stresses* the need for an increased public information capacity, including the establishment of United Nations radio stations to promote understanding of the peace process and of the role of MONUC among local communities and the parties;

37. *Calls on* all the parties to the conflict to cooperate fully in the deployment and operations of MONUC, including through full implementation of the provisions of the Status of Forces Agreement throughout the territory of the Democratic Republic of the Congo, and *reaffirms* that it is the responsibility of all the parties to ensure the security of United Nations personnel, together with associated personnel;

38. *Stresses* the need for the co-location of the Joint Military Commission with MONUC in Kinshasa;

39. *Reaffirms* that it is ready to support the Secretary-General if and when he deems it necessary and when conditions allow it, in the context of viable security frameworks, to further deploy military personnel in the border areas in the east of the Democratic Republic of the Congo;

40. *Expresses its appreciation* for the partnership established with the parties to the Lusaka Ceasefire Agreement, which was strengthened during the last Security Council mission to the Great Lakes region, and *reiterates* that it is firmly determined to continue to provide assistance to the parties in their efforts to achieve peace;

41. *Commends* the outstanding work of MONUC personnel who operate in challenging conditions, and *expresses* its strong support for the Special Representative of the Secretary-General;

42. *Decides* to remain actively seized of the matter.